

030104 17157 U.S. PTO

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

19270 U.S. PTO  
10/790318  
030104

In re application of: )  
Michael F. Oyaski )  
Filed: Concurrently Herewith )  
Serial No.: TBA )  
Group Art Unit: TBA  
Examiner: TBA  
Attorney Docket: MFO 04060  
Date: March 1, 2004

For: DEVICE FOR TREATING AND PROMOTING HEALING OF DAMAGED BODY TISSUE

HON. COMMISSIONER OF  
PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

## CONTINUATION-IN-PART APPLICATION UNDER 37 CFR 1.53(b)

Sir:

Please file the enclosed application as a continuation-in-part application under 37 CFR 1.53(b), of pending prior application Serial No. 09/874,539, filed June 5, 2001, entitled DEVICE FOR TREATING AND PROMOTING HEALING OF DAMAGED BODY TISSUE

1. ☒ The filing fee is calculated below:

### CLAIMS IN THE APPLICATION AFTER THE AMENDMENT BELOW

For: Basic Filing Fee	No. filed	No. extra	Fees for small entity      large entity	
Total claims	22-20=	2 = \$18	\$370	\$740
Indep. claims	3- 3=	0		
[ ] Multiple Dependent Claim				
Total			\$370	

\*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

2. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply (complete (a) or (b) as applicable)

- (a) [ ] Applicant petitions for an extension of time under 37 CFR 1.17(a)(d) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
[ ]	one month	\$ 110.00	\$ 55.00
[ ]	two months	\$ 400.00	\$200.00
[ ]	three months	\$ 920.00	\$460.00

Fee \$

(check and complete the next item, if applicable)

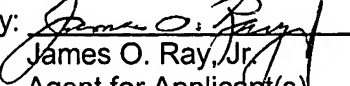
- [ ] An extension for \_\_\_ months has already been requested and the fee therefor of \$\_\_\_\_\_ is included in the amount enclosed herewith.

Extension fee due with this request \$\_\_\_\_\_

OR

- (b) [X] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
3. [X] Check No. 5341 in the amount of \$388.00 to cover the filing fee and check no. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the extension of time is enclosed.
4. [ ] Declaration and Power of Attorney
5. [X] Applicant qualifies for small entity status.
6. [ ] Remarks are enclosed.
7. [X] Amend the specification by inserting before the first line the sentence:  
This is a [X] continuation-in-part, [ ] division, of application Serial No. 09/874,539, filed June 5, 2001.

Respectfully submitted,

By:   
James O. Ray, Jr.  
Agent for Applicant(s)  
Registration No. 27,666

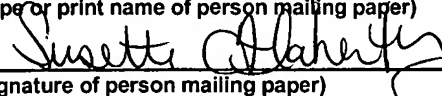
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**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.  
EXPRESS MAIL (EV 322245051 US)

Date: March 1, 2004

Susette Flaherty  
(Type or print name of person mailing paper)  
  
(Signature of person mailing paper)